

September 6, 2011

7:00 p.m.

Planning Division
Council Chambers

MEMBERS PRESENT: Chair Margaret Wimborne, Commissioners Natalie Black, Jake Cordova, Donna Cosgrove, Brent Dixon, Kurt Karst, Michelle Mallard, George Morrison, Paul Savidis and George Swaney.

MEMBERS ABSENT: Commissioners David Hodder and Leslie Polson.

ALSO PRESENT: Planning Director Renée Magee, Assistant Planning Director Brad Cramer, Recording Secretary Donna Carlson and approximately fifteen interested citizens.

CALL TO ORDER: Chair Wimborne called the meeting to order at 7:00 p.m. and reviewed the hearing procedures for the public.

MINUTES: August 2, 2011. Commissioner Cosgrove moved to approve the minutes of August 2, 2011, as presented. Motion seconded by Commissioner Karst. Motion passed.

PUBLIC HEARINGS:

Conditional Use Permit for the Operation of a Naturopathy Clinic in an R-3 Zone: Lot 24, Block 1. Gustafson Park, Division No. 3, 2nd Amended. Cramer reviewed the staff report, a part of the record. Four parking stalls are required for the square footage of office. Due to the ADA standards one stall is reserved for handicapped usage and a fifth parking stall is provided by the applicant. The stall is within the 20 foot required setback for the R-3 zone continuing a compromise made when the sound wall was installed along Sunnyside Road.

Wimborne inquired about deliveries. Cramer said there is one entry to the property on the north end of the site. A typical mail truck will make most of the deliveries. Cosgrove stated parking does not look adequate for serving clients as well as offering retail sales. Black drove by the area recently and noticed senior citizens getting out of vehicles and two or three other vehicles parked in the area. She asked if there is a method to slow traffic in the area. Cramer said the driveway is wide enough for vehicles to enter and exit at the same time. Black indicated the traffic flow looks problematic and she asked about implementing right-turn only. Cramer does not know if the traffic counts on Rollandet warrant that situation. Dixon asked if the area marked “gas meter” can be used as a parking stall allowing an exit onto Rollandet from the southwest corner of the property. Cramer said such an exit is too close to the intersection and lacks visibility even for right-turn only. Dixon confirmed there is no flexibility for the reserved handicapped parking

stall. It must remain as handicapped-accessible parking no matter what the situation surrounding the area.

The hearing was opened to the public.

Troy Carpenter – 480 W. Sunnyside Road, Unit No. 4. The building was purchased approximately two months ago. He inquired about the zoning at the time of purchase and was assured everything was in order for the proposed business usage. Upon approaching the planning department regarding signage, Mr. Carpenter learned a conditional use permit cannot be transferred and business was not being legally conducted. The ADA stall has to be large enough to accommodate a van and several options have been considered. The business has a few occasional clients who stay longer than fifteen minutes, but most business is conducted in small increments. The business is phasing out the clinic portion. A lot of shipping takes place as well as scheduling for travel lectures. Traffic will be decreasing rather than increasing. Ninety percent of deliveries are U.S. Postal Service. The postal carrier is on site an extra five to ten minutes per day picking up a bin or two. A few times a week a Federal Express or UPS truck is on site for approximately ten minutes. The postal carrier parks on the northwest corner in front of the ADA stall, and other delivery carriers park on the gravel area owned by the City along the west side of the property. The garbage pick up is also located in this area and Mr. Carpenter has considered asphaltting the area to be more usable for residents. The building is not workable for a home. There is no kitchen and the bathroom does not have a shower. The building cannot return to home usage without a serious financial commitment. Mr. Carpenter desires to address the issues and make this situation work.

Dave Carpenter – 480 W. Sunnyside Road, Unit No. 4. Mr. Carpenter said the business was previously located on North Capital and had parking problems for customers because the general public used the parking lot for downtown activities. This building was intentionally purchased for this business without knowledge of the pitfalls. He hopes to work with the City to determine a way to make the business workable in this location.

David G. Sevy – 480 W. Sunnyside Road, Units No. 1 and 2. Mr. Sevy had to force some issues with the previous owner to preserve handicapped accessibility for his wife. When the sound wall was installed sidewalk access to apartments 1 through 3 was left out. Mr. Sevy had to work to get the sidewalk completed and handicapped accessible. Mr. Sevy and his wife are the majority of the homeowners association and have been approached by Troy and Dave Carpenter to work on various issues. The gravel situation is horrible because the sidewalk is across the street and no one uses the sidewalk. People come through mud and snow and use the gravel area for access. The naturopathy clinic is a delightful operation. The clients are respectful. Mr. Sevy approves of the signage because it is attractive. The parking issue can be resolved. Mr. Sevy placed “no parking” signs where the mail is delivered because the postal carrier will not deliver if someone is parked in front of the mailboxes. The home is comfortable for Mr. Sevy and his wife and they approve of the business currently located in unit four.

Dixon asked if the paved area between the building and the street is the property of unit four or shared by all four units. Mr. Sevy answered it is the property of unit four.

Troy Carpenter – 480 W. Sunnyside Road, Unit No. 4. Cosgrove confirmed the operation has been in place about sixty days. Mr. Carpenter said the business has been in full operation for approximately thirty days. Swaney referred to the letter from the naturopathy clinic included in the staff report. The letter indicates commercial sales are taking place. Swaney asked about the possibility of the business becoming more successful and retail sales increasing at this location. Mr. Carpenter said fewer products will be sold at this location as the clinic sees fewer patients. Sales take place with the general public but product is generally sold to patients educated in the usage of the product. Online sales are expected to increase.

Mr. Carpenter said it is preferable to locate the handicapped parking closer to the entrance. The proposal meets the requirements but Mr. Carpenter wishes the ADA stall was closer to the entrance of the building.

Cosgrove inquired about the hours of operation and confirmed unit three is not currently occupied. Mr. Carpenter said unit three is for sale. The hours of operation are 10 a.m. to 6 p.m. Monday through Thursday.

There were no further comments and the hearing was closed to the public.

Dixon asked if the City right-of-way is wide enough for a sidewalk to be built. Cramer answered yes. Dixon said the development of a sidewalk is typically done by the landowner rather than the City. A sidewalk can be built if the landowner chooses that option.

Dixon said the area identified for parking belongs to unit four and is not a shared common area. The parking meets all requirements including ADA standards.

Commissioner Dixon moved to recommend to the Mayor and City Council approval of the request for a conditional use permit for the operation of a naturopathy clinic in an R-3 zone with the condition the number of employees remain at four or fewer including the owners. Motion seconded by Commissioner Cordova. Savidis believes all open area in most condominiums is common area. Units 1, 2 and 3 are able to use that area. Dixon indicated that is contrary to the answer provided by Mr. Sevy. Savidis believes this is outside the purview of the Commission. Karst stated he is disturbed about being asked to make accommodations based on the misrepresentation of a realtor. Cosgrove is concerned about parking even with the endorsement of the owner of units one and two. She is also disturbed about the misrepresentation by a realtor and hopes parking conflicts will be limited. Dixon stated Mr. Sevy indicated he has access to his units. A residence at this location is not very viable and this business provides a buffer for the remaining units. Delivery vehicles can park along the street in most areas and off-

street parking does not need to be provided. **The motion passed 8 to 1 with Commissioner Savidis opposing.** Savidis believes the situation is less than ideal and he is concerned as are Karst and Cosgrove that accommodations are being made based upon a misrepresentation.

Conditional Use Permit for a Private Junior High School in a C-1 Zone: Section 20, T 2N, R 38E (665 John Adams Parkway). Magee reviewed the staff report, a part of the record. Using the east portion of the building for a preschool/day care is not mentioned in the staff report. Staff was not aware of this option at the time the staff report was prepared. The applicant is proposing four junior high classrooms and three day care/preschool classrooms. Nine parking spaces are required for the junior high school and three parking spaces for the day care/preschool. If the applicant moves toward six junior high classrooms, fourteen parking spaces are required. The parcel under consideration does not occupy the majority of the block. The remainder of the block is owned by the City of Idaho Falls. Staff recommends Calvary Chapel maintain a lease with either Idaho Falls for the parking on the west side of the block or with the owner of vacant commercial property to the north.

Karst inquired about the City owning the surrounding property. Magee is not aware of the history but indicated the City is willing to enter into a formal lease agreement. Cosgrove asked if a lease will dedicate the parking spaces. Magee answered a sign can be placed on the premises to assign use to the lessee.

The hearing was opened to the public.

Gordon Boyle – 3261 South Boulevard. Mr. Boyle explained Calvary Chapel was looking for a place to expand its school. During the process it became apparent classrooms could also provide for the waiting list at its day care facility. Building inspectors have approved the building for the purposes indicated, including a day care. There is a small kitchen. The church has never had any parking spaces and the Municipal Services Director indicated the City is willing to lease parking. The City owns most of the front yard to the church as well as the Idaho Falls High School parking lot. Mr. Boyle assumes City ownership of the Civic Auditorium is part of the reason for these ownerships. The only concern expressed by the City is evening usage when the parking area is used for Civic Auditorium overflow parking. Mr. Boyle stated the hours of operation are 8:30 a.m. to 3 p.m. Black said 8:30 is when there is heavy high school traffic and asked if junior high students will be driving. Mr. Boyle answered most are dropped off. Some students are dropped off at the main facility on Hitt Road to be bussed to this location along with teachers. If parents are closer to this location, students will be dropped off. Mr. Boyle does not anticipate any problems with the high school students nearby. The building will be a closed campus and there should not be any activity crossing John Adams Parkway. Cosgrove asked if there will be sporting events. Mr. Boyle answered no. Students will go home at the end of the school day. A few teachers will arrive earlier and stay later.

There were no further comments and the hearing was closed to the public.

Karst does not see a problem if the parking issue can be solved. He prefers a parking agreement with the City rather than an adjacent property owner because it is easier to maintain as a legitimate parking area. He has been involved with some leased parking agreements and the original intent can become lost and fade into history. He has witnessed property becoming void of parking.

Commissioner Karst moved to approve the request for a conditional use permit for Calvary Junior High School at 665 John Adams Parkway as presented with the stipulations the required parking of fourteen spaces be acquired on the lot west of the property from the City of Idaho Falls and the loading and unloading of students either by bus or car be limited to East 4th Street. Motion seconded by Commissioner Savidis. Cosgrove clarified there are no church services in the building. **The motion passed 8 to 1 with Commissioner Dixon opposing.** Dixon believes the applicant should have the option to acquire parking from any adjacent party.

Conditional Use Permit for a Take-out Restaurant in an R-3A Zone: Lots 31 and 32, Block 26, Capitol Hill (531 Lomax Street). Magee reviewed the staff report, a part of the record. This is a request to move a take and bake pizza into an R-3A zone, a zone which allows retail uses as a conditional use permit. Exterior renovations will be limited to the installation of three windows on the east elevation and the conversion of the front door to a double door. There will be no drive-up window. The handicap ramp is thirty years old and will be rebuilt. Staff is recommending limiting the hours and turning off exterior lighting one hour after closing.

The hearing was opened to the public.

Albert Leo O’Ryan – 2514 W. Barberry Lane. Mr. O’Ryan wants to improve visibility of his current business. This location has more traffic than his present location on 2nd Street.

Julie Paul – 1431 Three Fountains Drive. Ms. Paul owns the building at 531 Lomax Street. The building has great visibility and Lomax leads directly downtown. Parking is abundant and the traffic for this usage will be very easy to accommodate. The driveways into the parking lot are wide and the one-way street provides easy on and off. There are multiple lights in the area and this usage will not create an issue. As well as the parking lot lights, there is a security light in the alley and street lights. Swaney said one condition requested by staff is exterior lighting on the east elevation be turned off one hour after closing. He questioned if this is superfluous given the other lighting in the area. Ms. Paul believes Mr. O’Ryan is interested in turning off the lights as soon as possible after closing to reduce his utility bill.

Cosgrove asked if the modifications to the building are considered substantial.

Albert Leo O’Ryan – 2514 W. Barberry Lane. Mr. O’Ryan said three windows are being added on the east to create some light when waiting for a pizza. The front vestibule may be revised to include a double entry or it might stay as a single door with fixed glass. The amount of glass does not increase.

There were no further comments and the hearing was closed to the public.

Cordova clarified he spoke with Ms. Paul about the two options provided by the City. Cordova confirmed with Ms. Paul the options were rezoning or a conditional use permit. Karst does not believe the exterior renovations are substantial. The size of the opening will not change. It is possible a window will be exchanged for a door. Adding windows to a wall that has none is a positive change.

Black inquired about the limitation of hours. Magee indicated this is an R-3A zone in which single-family homes and apartments as well as office are permitted. Except for Weight Watchers, this strip center has traditionally been office usage with businesses closing by 6 or 7 p.m. Mr. O’Ryan plans to close at 9 or 10 p.m. at the latest. Magee believes it is better to put the intention in writing for the neighbors to the north.

Dixon indicated a drive-up window is not planned. The business is take-out only.

Commissioner Dixon moved to recommend to the Mayor and City Council approval of the conditional use permit for a take-out restaurant as presented including the conditions hours be limited to 9:00 p.m. on week nights and 10:00 p.m. on Fridays and Saturdays, and exterior lighting on the east elevation be turned off one hour after closing. Motion seconded by Commissioner Cordova. Motion passed unanimously.

Conditional Use Permit for an Electronic Message Center for EITC in an R-1 Zone:

Section 21, T 2N, R 38E (1600 South 25th East/EITC). Cramer reviewed the staff report, a part of the record. The need for a conditional use permit is triggered by land use as a school. The sign will be located on the south side of the Hitt Road school entrance across from Wal-Mart. Signs at schools must be 20 feet from the right-of-way. The sign as proposed is 25 feet from the right-of-way line to the base of the sign. The limitation for a sign at a school is 15 feet in height with a total of 60 square feet and the LED portion is limited to 24 square feet. The Planning Commission has the ability to adjust some of these standards. One adjustment allowed is the size of the electronic message center. In order to adjust the size from 24 square feet to the proposed 50 square feet, the Commission needs to determine the modification is needed to assure visibility of the sign. Guidelines provided by the United States Sign Council suggest the letters on the sign should be approximately 15 inches in height to be read safely. Four lines will connect all the letters but can be utilized with letters 15 inches tall.

It will be the responsibility of the Board of Adjustment to consider the entire size and height of the sign. Cramer explained there are potential reasons the Board of Adjustment may allow a variance. Schools are typically portraying messages longer than commercial messages. Schools are required to hold messages static for six seconds rather than four seconds typically utilized. Due to the speed allowed on Hitt Road, the school needs to place a lot of message on the sign at one time. The sign is required to be 20 feet away from the right-of-way line and a commercial sign does not have setback.

Wimborne clarified the Commission is taking action only on approving or denying the electronic portion of the message center. The overall sign size will be determined by the Board of Adjustment. Cramer said that is true but the Commission can discuss whether it feels a variance is appropriate.

Karst clarified any LED school sign approved with current standards must hold a message for six seconds. Dixon said no additional residential development is expected near the sign.

Todd Wightman – 1600 S. 25th East. Mr. Wightman said most of the surrounding property belongs to EITC, but some issues with deeds surfaced recently and required clarification. He anticipates college growth to the north with the sign being near the middle of campus. EITC has approximately 900 students enrolled in technical programs per semester. EITC also has 15,000 attendees per year in community education, workforce training, adult basic education, etc. The EITC student body is the community, serving grade school through senior citizens in various programs. The applicant noticed the sign code standard with hours of operation being 7:00 a.m. to 7:00 p.m. with an extension possible at junior high and high schools on Friday and Saturday evenings. Mr. Wightman is requesting hours of operation from 7:00 a.m. to 10:00 p.m. The area is commercial and a lot of traffic will see the sign after working hours. Mr. Wightman is requesting letters approximately 12 inches in height to convey complete messages easily.

Jim Stratton – 1600 S. 25th East. Mr. Stratton indicated EITC was acquired in stages over a period of years. The process of requesting a conditional use permit led to research of boundary lines. EITC discovered a deed was not recorded by the assessor's office that ceded land to the college in 2007. A survey team is engaged to determine the exact boundary. The wedge outside the EITC boundary will never be used for commercial development and is owned by Bonneville County. The area along the east side of Hitt Road south to the storage units near 17th Street is owned by EITC. There will be no development on the land strip. Dixon inquired about the intersection of 17th Street and Hitt Road. Mr. Stratton indicated the area is also being surveyed and a right-hand turn lane is a possibility for improving campus and traffic safety.

Todd Wightman – 1600 S. 25th East. Mr. Wightman said the total square footage is larger because the sign will be a landmark and appear collegiate-like. The sign has been considered for many years and the price has decreased. EITC has considered readability, safety when driving by, and aesthetics. The sign is similar to what can be seen on any other college campus.

Gary Mills – 395 Redwood. Mr. Mills is an employee of EITC and presented one example of how the message portion of the sign will be utilized. Mr. Mills proctors the GED test and the test is being revised to meet new standards. Community members who have taken a portion of the test over the past ten years will have to start over with the process if the GED testing is not completed prior to the test revision. Mr. Mills has been sending hundreds of letters to people. A message board will be valuable to communicate to people it is time to finish their goal. The message board will convey services to the community and how to participate.

Swaney asked if the size of the lettering on the LED portion is a Commission decision. Cramer answered no. Wimborne inquired about the hours of operation in the ordinance. Cramer said the standards can be adjusted if the Commission deems it necessary for visibility. Cosgrove clarified the size of the sign is twice the square footage allowed. Cramer replied the Commission has the authority to adjust the size of the LED. The height and size of the entire sign is a matter for the Board of Adjustment. It is possible to approve the sign contingent upon a variance. The discussion should consider whether 50 square feet is necessary to ensure visibility of the sign.

There were no further comments and the hearing was closed to the public.

Cosgrove is concerned about setting a precedent by approving a sign twice the size allowed by ordinance. Dixon believes this use is different from elementary, junior high and high schools that are generally located in residential areas. EITC is a college on a major arterial with a commercial development pattern for at least 500 feet in both directions. Development in the area will be either school or commercial properties that tend to be open later and use larger signs. A wide range of people are served in the area and the sign will be useful for communication. The speed of the traffic is important for the size of the sign to be readable. The distance from the congested intersection of 17th Street and Hitt Road should minimize the possibility of an accident while reading the sign. Dixon believes making an exception in this case has merit.

Cordova mentioned the size of the sign allowed at Porter's Crafts. Cramer said an LED is allowed in commercial zones based upon street frontage with a minimum size of 100 square feet on commercial property. Schools and churches have a limitation of 24 square feet. Karst agrees with Dixon that the size presented provides readability and the area is not residential. If the Commission can provide a clear justification for allowing the increased size, it will not set an undesirable precedent. Cosgrove asked the size of a sign allowed at Calvary Chapel south on Hitt Road. Cramer said the church requested a fairly large LED several years ago and was denied. The current sign is a static sign and not above 60 square feet. Swaney agrees the size of the sign is appropriate for the application and the area of installation. A compelling argument was made by the applicant for not restricting the letter size to 15 inches or above. Swaney suggested a recommendation of lettering at least 12 inches high so the sign can be used effectively. Dixon said the comparison with Calvary Chapel on the same road is a good comparison and noted some differences. The road has not been widened to four lanes at the church and traffic is lighter along

Hitt Road farther to the south. The property across the street from the church has not been developed and property on both sides of the church is residential. The situation will be different at the church after the road and properties near the church are developed.

Dixon believes the request for 7 a.m. to 10 p.m. all week long is appropriate given the property is used every evening and is not in a residential area. An attractive feature of this proposal is the message board is raised above the eye level for drivers and people will not be blinded by the message board. Cosgrove inquired about auto dimmers. Cramer said auto dimmers are standard and required by the Code. A permit will not be issued until the sign company has provided proof the automatic photo cell dimmer is included as part of the sign. The sign will automatically dim as the sun sets.

Commissioner Mallard moved to approve a conditional use permit for a fifty square foot electronic message center for EITC in an R-1 zone with the condition the LED portion of the sign be limited in use from 7:00 a.m. to 10:00 p.m. daily. This is approved to ensure visibility to those on campus as well as the traveling public on Hitt Road. Motion seconded by Commissioner Dixon. Swaney asked about the size of the lettering. Cramer clarified examples were given for letter sizing but the ordinance does not specify a size. **Motion passed 8 to 1 with Commissioner Cosgrove opposing.** Cosgrove believes a 50 square foot LED is excessively large. She does not have a problem with the hours of operation.

BUSINESS:

Final Plat: Adventure Division No. 1. Cramer reviewed the staff report, a part of the record. A Maverik convenience store is proposed on Lot 1 of the final plat. Development for Lot 2 is not known at this time. The applicant provided a traffic study completed by Reeve and Associates, Inc. The City contracted with CHS Consulting Group to review the study and the recommendations of both firms are included in the staff report.

Wimborne clarified two access points are being proposed. One access is on Iona 175 feet from the intersection. The other access is on North Holmes and will be 240 feet from the intersection. CHS consulting recommends a cross access from the North Holmes access to Lot 2. It is proposed when Lot 2 is developed the access on Iona road which is 175 from the intersection be closed and moved at least 240 feet from the intersection. Savidis expressed concern: an access is rarely closed once it is developed.

Dixon inquired about the location for the cross access on the south edge of the property. Cramer said the access is not shown on the plat. It would be along the southern property line and approximately 240 feet south of Iona Road. The plat was submitted prior to review by CHS Consulting, and the applicant has a different opinion as to the movement of traffic on the property. Dixon asked if cross access will be needed for the property to the south of the parcel under consideration. Cramer answered the owner of the vacant property to the immediate south

owns the property on which Docutech is located. There is access between the two parcels. Dixon asked if the State or City controls access onto North Holmes. Cramer replied this is State right-of-way and, as a major arterial, accesses should be 360 feet apart.

Todd Meyers – 880 W. Center Street, N. Salt Lake. Mr. Meyers explained there was a request from city engineering for Maverik to dedicate a 14 foot right hand turn lane on Holmes Avenue approximately two months ago. The property will be dedicated. Meyers said Maverik is amenable to a 24 foot wide cross access easement on the south side of the property. The provision to move the access when Lot 2 develops was discussed in the meeting held two months ago. One access to Iona road was to be centered on the property line between the two lots and the second access as far to the northwest as it can be pushed. If the first access was approved, the City engineer suggested closing the second access when the property to the north is developed. The plat shows cross-access hatching all the way to the north. Meyers said it is his understanding this is the approach being taken and it seems like a fair option. Meyers indicated he is also willing to back off the second access completely if the City commits to requiring the property to the north to share access points. Meyers understands the concern regarding an access not being closed once it is developed. He said the first access will be built at 240 feet. He disagrees with the measurements provided. Measurements are to the center of the access. Meyers suggested following the curve in the right-of-way of Iona Road and measuring to the existing right-of-way line of Holmes Avenue. The City will receive property for the right hand turn lane. In exchange, he is asking to receive some value by being able to measure to the existing Holmes Avenue right-of-way line. Only one access will be built on Iona Road at 240 feet from the intersection if measured from the center of the access to the existing Holmes Avenue right-of-way line. The cross access easement will be platted along Iona Road and he requests the City to require cross access when the property to the north develops. Finally, Meyers stated the zoning ordinance requires 60 feet and the access to Iona Road is much farther.

Wimborne asked about the access on North Holmes. Meyers said the annexation agreement requires the access from Holmes be 240 feet south of the intersection. The 24 foot wide access easement will be on Lot 1, provide access to Lot 2 and be placed on the south edge of the plat. Maverik is willing to provide cross access to the property to the south if requested.

Cordova asked if this negotiation should take place at the engineering level. Magee responded the planning department is responsible for the layout of streets and access points in general. Wimborne clarified the Commission can adjust the conditions to reflect the proposal of the applicant. Magee responded the development agreement will remind future staff of the need to require cross-access for the property to the north.

Karst clarified the proposal. The City requests an additional 14 foot right-of-way along the west side of Lot 1 to accommodate a future right-hand turn lane onto Iona Road. There will be an access onto Lot 1 at least 240 feet south of the intersection of Holmes and Iona. The proposal is to put the access at the far south end of Lot 1 and create a 24 foot wide cross access agreement to

Lot 2. Karst noted the City and applicant are in agreement on this proposal. Karst clarified a curb cut was proposed on Iona Road approximately 175 feet from the intersection toward the northeast corner of Lot 1. This proposed access would be closed when Lot 2 is developed and an access at least 240 feet from the intersection is developed. However, the suggestion from Meyers is to build one access at 240 feet now with the stipulation of measuring from the existing right-of-way of Holmes. The cross access will remain for the property to the north. As an aside, Karst said he lives near a Maverik with a curb cut 60 feet from the intersection and he will not support that type of arrangement in the future.

Savidis supports the curb cut at 240 feet due to his concern that it is difficult to close a curb cut once it is in place. It also gives Maverik the opportunity for trailers and trucks to park prior to the development of Lot 2. Savidis does not have a problem measuring from the existing right-of-way of Holmes.

Swaney asked about requiring a plat to be resubmitted with the elements discussed shown on paper. Magee believes the changes are minimal. A 20 foot access easement will be on the southern property line crossing from Lot 1 to Lot 2. The access to Iona Road will be measured from the existing eastern right-of-way line of Holmes Avenue. A development agreement will include a commitment for the City to require the unplatted parcel to the north to have a cross access with Lots 1 and 2.

Commissioner Karst moved to recommend to the Mayor and City Council approval of the final plat for Adventure Division No. 1 as submitted with the following stipulations: a 24 foot wide cross access be provided along the southern property line of Lot 1 to provide access to Lot 2; the access to Holmes Avenue be 240 south of the intersection with Iona and be at the same location as the cross access to Lot 2; access to Iona Road be measured from the center of the driveway to the existing eastern right-of-way of Holmes Avenue extended; and cross-access be provided by the properties to the north when they develop. Motion seconded by Commissioner Cosgrove. Wimborne confirmed the applicant consents to the stipulations included in the motion. **Motion passed unanimously.**

Final Plat: First Amended Plat of Idaho Falls State Trailer Supply. Magee reviewed the staff report, a part of the record. Magee noted the wording on the easements will be changed. An informal road has developed to the mobile home park to the southwest. Staff has asked the developer not to make this a formal access road to avoid commercial traffic through the residential area and to assure accesses meet *The Access Management Plan*. Staff is requesting a written agreement be filed and recorded against the plat to provide cross access and parking between the lots and joint maintenance for these areas as well as the private water and sewer. The public utility easement covers electric, cable, or telephone only, not water and sewer.

Dixon clarified the distance between existing access points and the one previously approved for State Trailer Sales is not 360 feet, but the best situation possible is achieved. Dixon pointed out

the property to the west of this plat may become landlocked is this parcel and the parcels to the west are not developed properly with a road. Magee understood the concern but believes a road is more feasible to the southwest depending upon soils for development. Dixon indicated the need to go west off St. Leon to tie in and avoid parallel roads without connections.

Commissioner Karst moved to recommend to the Mayor and City Council approval of the final plat named First Amended Plat of Idaho Falls State Trailer Supply, as presented with the condition a written agreement be recorded providing for cross access and parking between the lots, maintenance of such areas and maintenance of water and sewer lines within the platted area. Motion seconded by Commissioner Cordova. Motion passed unanimously.

The meeting adjourned at 9:55 p.m.

Donna Carlson, Recording Secretary